

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 2927/July 14, 2015

ADMINISTRATIVE PROCEEDING  
File No. 3-16433

In the Matter of

ALBERT J. SCIPIONE

ORDER SCHEDULING SECOND  
PREHEARING CONFERENCE

On March 12, 2015, the Securities and Exchange Commission issued an Order Instituting Administrative Proceedings against Albert J. Scipione, pursuant to Section 15(b) of the Securities Exchange Act of 1934 (Exchange Act). On May 15, 2015, I set a summary disposition schedule. *Albert J. Scipione*, Admin. Proc. Rulings Release No. 2681, 2015 SEC LEXIS 1922. On June 5, 2015, the Division of Enforcement (Division) filed its amended motion for default and summary disposition (Motion), asking for permanent industry and penny stock bars against Scipione. Scipione's opposition was due on June 26, 2015, but he failed to file any opposition.

On June 30, 2015, I denied the Division's Motion, finding that it failed to establish, as required by Exchange Act Section 15(b), that during Scipione's alleged misconduct, he "was associated or was seeking to become associated with a broker or dealer." 15 U.S.C. § 78o(b)(6)(A); *Albert J. Scipione*, Admin. Proc. Rulings Release No. 2883, 2015 SEC LEXIS 2687. I then directed the Division to confer with Scipione and arrange for a prehearing conference. *Albert J. Scipione*, 2015 SEC LEXIS 2687, at \*8.

On July 8, 2015, the Division filed a motion for leave to file a renewed motion for summary disposition (Renewed Motion). In communications with this Office, the Division also represented that Scipione would be available for a telephonic prehearing conference at 10:30 a.m. EDT on July 21, 2015. Accordingly, I ORDER that a telephonic prehearing conference will be held on July 21, 2015, at 10:30 a.m. EDT. I will address the Renewed Motion at the prehearing conference.

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Brenda P. Murray  
Chief Administrative Law Judge